

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

<b>SANTIAGO O. LOPEZ,</b>	)	
	)	
<b>Petitioner,</b>	)	<b>2:08-cv-00435 JWS</b>
	)	
<b>vs.</b>	)	<b>ORDER FROM CHAMBERS</b>
	)	
<b>DORA B. SCHRIRO, <i>et al.</i>,</b>	)	
	)	
<b>Respondents.</b>	)	
_____	)	

At docket 1 petitioner seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondents filed an answer at docket 9 and supplements at dockets 12 and 14. Petitioner did not file a reply. In a report at docket 17, the magistrate judge to whom the matter was referred recommends that the motion be denied as to certain claims and dismissed with prejudice as to other claims which were not exhausted in state court. No objections to his report have been filed.

This court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). When reviewing a magistrate judge’s recommendations in a case such as this one, the district judge conducts *de novo* review of all recommended conclusions of law, and any recommended findings of fact to which objections have been taken. Recommended findings of fact as to which no objection has been taken are reviewed for clear error.

Having applied those standards of review, this court finds that the recommended findings of fact and conclusions of law are correct in all material respects. Accordingly, this court adopts Magistrate Judge Irwin's recommendations. Based thereon, the petition is **DENIED** as to that portion of Ground 1 which asserts ineffective assistance of counsel with respect to mitigating and aggravating circumstances, and all of Ground 2; and the remainder of the petition is **DISMISSED with prejudice**.

DATED this 24<sup>th</sup> day of July 2009.

/s/ JOHN W. SEDWICK  
UNITED STATES DISTRICT JUDGE